



SURF CITY TOWN COUNCIL REGULAR MEETING
Tuesday, December 3, 2019
Surf City Town Hall – 201 Community Center Drive

- I. CALL TO ORDER - Douglas C. Medlin, Mayor
- II. INVOCATION - William J. (Buddy) Fowler, Mayor Pro-Tem
- III. PLEDGE OF ALLEGIANCE - Donald R. Helms
- IV. BEAUTIFICATION & APPEARANCE COMMITTEE AWARDS -
Home of the Month: Tom & Sandi Monroe at 314 N. Shore Drive
Business of the Month: Xanadu Market at 404 A. Roland Ave.
- V. TI COASTAL PRESENTATION-
- VI. MAYOR'S REMARKS -

We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunity to speak during the meeting. Comments should be limited to three minutes each and must be directly issue oriented with agenda items for this meeting, or an issue upon which the Council has control.

Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.

In accordance with the Council's adopted Rules of Procedures, Councilmembers shall reserve responses, if any, for the Council Forum on the agenda.

- VII. ADOPTION OF THE AGENDA -

Mayor: With no other items being considered separately, a motion to adopt the Meeting Agenda is in order.

- VIII. APPROVAL OF THE CONSENT AGENDA -

**Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.*

- 1. Cape Fear Council of Governments Appointment - Councilwoman Batts
- 2. Resolution No. 2019-33 - Jacksonville Urban Area Metro. Planning Organization
- 3. Board of Adjustment Appointment - Todd Crawford, Chair
- 4. Resolution No. 2019-34 - Saltwater Landing Roads Acceptance Ph. 5
- 5. Budget Ordinance Amendment - Powell Bill Streets, M&R Building & Utilities

Specific Action Requested: It is requested that the Town Council approve the consent agenda as presented.

IX. PUBLIC HEARING –

6. Ordinance Amendment No. 2019-09 - Art. VI Sec. 7 Streets (f)

Open Public Hearing

Public Comment

Close Public Hearing

Specific Action Requested: It is requested that the Town Council approve the ordinance amendment as presented.

X. PUBLIC COMMENT - Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting

XI. MANAGER'S REPORT -

XII. NEW BUSINESS -

7. Town Hall Site Plan Approval

Specific Action Requested: It is requested that the Town Council approve the site plan as presented.

8. Tortuga Lane Ricciardi Site Plan Approval

Specific Action Requested: It is requested that the Town Council approve the site plan as presented.

XIII. TOWN ATTORNEY REPORTS -

XIV. SWEARING-IN CEREMONY-

XV. CLOSED SESSION-

XVI. ADJOURNMENT -



SURF CITY

NORTH CAROLINA RESOLUTION No. 2019-33

RESOLUTION SUPPORTING EXPANSION OF THE JACKSONVILLE URBAN AREA METROPOLITAN PLANNING AREA BOUNDARY

WHEREAS, the Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) is designated as the Metropolitan Planning Organization for the Jacksonville urbanized area in North Carolina; and,

WHEREAS, federal law (Fixing America's Surface Transportation Act), assigns JUMPO the responsibility for carrying out the metropolitan planning process, in cooperation with the North Carolina Department of Transportation and publicly owned transit service providers; and,

WHEREAS, federal law requires, that the JUMPO Metropolitan Planning Area (MPA) boundary shall encompass the entire urbanized area as defined by the United States Census Bureau, plus the contiguous area expected to become urbanized within a 20-year forecast period for the Long Range Transportation Plan; and,

WHEREAS, MPA boundaries may further be expanded to encompass an entire Metropolitan Statistical Area (MSA) as defined by the United States Office of Management and Budget; and,

WHEREAS, the greater Jacksonville urbanized area continues to experience military and civilian growth, requiring expansion of the MPA to ensure continuity in transportation planning, enhanced mobility, increased connectivity and for the benefit of safety; and,

WHEREAS, JUMPO staff conducted an evaluation of current and future population and travel patterns, which supports the need for expanding the MPA to encompass all of the Jacksonville, North Carolina MSA; and,

WHEREAS, the proposed MPA expansion would include all remaining unincorporated portions of Onslow County located outside of the current JUMPO MPA, along with the municipalities of Holly Ridge, North Topsail Beach, Richlands, Swansboro, and portions of Surf City.

NOW, THEREFORE, BE IT RESOLVED the Town of Surf City being a municipality within Onslow County, supports expansion of the Jacksonville Urban Area Metropolitan Planning Organization planning boundary to include all of the Jacksonville, North Carolina MSA.

Douglas C. Medlin, Mayor

Attest: _____

Stephanie Edwards Hobbs, Town Clerk



CANDIDATE REQUEST FOR APPOINTMENT
TO BOARDS AND COMMITTEES
OF THE TOWN OF SURF CITY

Name of Board or Committee you are seeking appointment to:

Name: TODD H. CRAWFORD, SR.

Home Address: P.O. Box 2403, Surf City Tel: [REDACTED]

Business Address: 466-1 HWY. 210 Te [REDACTED]
SNOWS FERRY 28460

Marital Status: DIVORCED

Name of Spouse: _____

Do you live within the Corporate limits of Surf City? ☒ Yes ☐ No

How long have you been a resident in Surf City? 19 years

High School: MCKESSPORT HIGH SCHOOL

Date of Graduation: _____

Type of Course (s): COLLEGE PREPATORY

College/University: PENN STATE UNIVERSITY

Date of Graduation: _____

Type of Course(s): POLITICAL SCIENCE

Presently employed by: PROFESSIONAL SOLUTIONS I, LLC (PRO SOL)

Job Title: LEGAL ADVISOR

Duties Performed: IN HOUSE COUNSEL

Current membership in organizations and offices held: SEA TURTLE HOSPITAL - BOARD
OF DIRECTORS; CONSUMERS UNION; ABA

Past organizational membership and offices held: ABA; PA. BAR ASSOCIATION;
WESTMORELAND BAR; ALLEGHENY COUNTY BAR

Do you anticipate a conflict of interest by serving as a member of a Board or Committee?

NONE

If yes, explain

State reason why you feel qualified for this appointment(s).

PROFESSIONAL LAW PRACTICE

- CIVIL LITIGATION, STATE AND FEDERAL

- CRIMINAL DEFENSE, STATE

- CHAPTER 11 CORPORATE REORGANIZATIONS

- DECEDENTS' ESTATES

- BUSINESS EXPERIENCE, INCLUDING REAL ESTATE

PLEASE SEE ATTACHED RESUME

Note:

This information will be used by the Town Council in making appointments to Boards and Committees and in the event you are appointed, it may be used as a news release to identify you to the community.

TONO H. CRAWFORD SR.

Name

[Signature]

Date

11/1/19

return form to: Town of Surf City, Town Clerk, PO Box 2475, Surf City, NC 28445

or

fax to 910-328-1746 or 910-328-4132



Todd H. Crawford

Professional Solutions1, LLC

Role on Contract: Legal Advisor

Security Clearance: None

Education and Certifications

Juris Doctor, Law, Duquesne University School of Law, Pittsburgh, Pennsylvania, 1973

B.A., European History, Pennsylvania State University, University Park, Pennsylvania, 1965

United States Supreme Court, 1975

United States Court of Appeals, Third Circuit, 1975

United States District Court for the Western District of Pennsylvania, 1975

Supreme Court of Pennsylvania, 1973

Experience Summary

General Law Practice with emphasis on estates and trusts, business law and criminal law; litigation.

- Estates and Trusts law;
- Business organizational law and business development law;
- Chapter 11 Corporate Reorganization law;
- Criminal law;
- Civil and Criminal litigation.

Areas of Expertise

- Estates and Trusts
- Business organization and development
- Civil and Criminal litigation
- Business Law

Job History: Relevant Experience

Law Firm of Mary C. Fairley, P.C., Surf City, North Carolina, 2004-2008. Civil law; Business entity organization and development; Wills, Trusts, Inter Vivos Trusts; Decedents' Estate Administration; contracts; municipal opinions. Taught advanced paralegal courses over 10-week periods with Mary C. Fairley at UNCW campus, Wilmington, North Carolina (not associated with UNCW.)

President, Loggerhead Motion Picture Studios, Inc., 2001-2004. Restructure of major movie studio business (see Southland Studios, Inc., below); restructure of major movie studio complex financing.

Professor of Criminal Justice, 2002-2004. Shaw University, Wilmington Campus.

Executive Vice President and General Counsel; President, Southland Studios, Inc., 1996-2001. Development of major movie studio complex business from start-up in Wilmington and Brunswick County, North Carolina area, including complex financing structure and acquisition of real estate for construction of studio buildings. Personally responsible for development of the business model, financing structure and financing relationships (primary-Seattle Northwest Securities) with consulting services of Peter R. Carlo. Financing included private placement of BB commercial bond issue, forward commitment in place to re-purchase bond issue (two years), and insurance wrap. Primary partner performed engineering expertise along with Right Angle Engineering, P.A., Wilmington, North Carolina.

Private Law Practice, 1975-1996. Early practice was general with both civil and criminal clientele as well as business entity organization and development, Will and Trust preparation and estate administration. Later evolved into criminal representation and litigation. Later developed into preparation of tax shelters, including securities work, preparation of private placement memorandums, contracts, that ultimately resulted in Chapter 11 Corporate Reorganization representation of some business clients.



Associate Attorney, Costello & Burke Law Firm, 1973-1975. Responsible for administration of decedents' estates; preparation of Will and Trust documentation.

Assistant Trust Officer, Equibank, N.A., 1960-9-1973. Full-time position as Assistant Trust Officer while attending Law School. Business and trust development. Partially responsible for largest increase in Trust Department clients in Bank's history to date.

Significant Training

Law Degree (Juris Doctor); Duquesne University School of Law; 1969-1973

Computer Application/Programming Expertise

Familiar with Microsoft Office Suite and Windows XP

Languages

No foreign languages.

Employment History

Company	Position	Years
Professional Solutions	Legal Advisor	2008–Present
PS Charities	Advisor; Fund Raising	2012–Present



Town of Surf City

ORDINANCE NO. 2019-09

AN ORDINANCE AMENDING ARTICLE VI SECTION 7. STREETS (f) DESIGN STANDARDS FOR STREETS TO BE ACCEPTED TO SURF CITY SYSTEM

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SURF CITY, NORTH CAROLINA, THAT:

SECTION I. The Code of Ordinances, Section 7(f) is hereby amended to read as follows:

Section 7(f) Design standards for streets to be accepted to Surf City Street System.

Design standards for streets to be accepted to Surf City Street System. The design of all streets and roads within Surf City which design to meet state maintenance systems shall be in accordance with the accepted policies of the NC Department of Transportation, Division of Highways, as taken or modified from the American Association of State Highway Officials' (AASHO) manuals. The design of all streets and roads within Surf City which desire to be considered for inclusion in the town maintenance system shall be in accordance with the NC DOT's street system policies for state maintenance. The provision of the street rights-of-way shall conform and meet the requirements of the Surf City Design & Construction Standards for Streets and Utilities as approved by Surf City planning board and adopted by the town council.

SECTION II. SEVERABILITY CLAUSE. If any section, part of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION III. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Town Council of Surf City, North Carolina, at which a quorum was present, and which was held on the 6th day of November 2019

Adopted the 6th day of November 2019.

TOWN OF SURF CITY

Douglas C. Medlin, Mayor

ATTEST:

Stephanie Edwards Hobbs, Town Clerk

APPROVED AS TO FORM:

Crossley, McIntosh, Collier, Hanley & Edes, PLLC

Brian Edes

TOWN OF SURF CITY
BUDGET ORDINANCE AMENDMENT
December 3, 2019

BE IT ORDAINED by the Governing Board of the Town of Surf City, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the **General Fund Revenues & Expenditures** to account for the contract with S.T. Wooten to pave several Town streets (see attached list). The money to cover this contract will come from funds appropriated through General Fund fund balance, the appropriations are to be changed as follows:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-111-441-499900	Appropriated Surplus	\$1,555,067

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
10-560-443-504501	Powell Bill M&R - Streets	\$1,555,067

Section 2. Copies of these Budget Amendments shall be furnished to the Clerk, to the Governing Board, to the Town Manger, and the Finance Officer for their direction.

Adopted this the 3rd day of December, 2019.

ATTEST:

Doug Medlin

Stephanie E. Hobbs, Town Clerk

(Seal)

PROPOSAL/CONTRACT

**S. T. WOOTEN CORPORATION
PHONE (910) 762-0325 – 226 SUTTON LAKE ROAD
WILMINGTON, NORTH CAROLINA 28401**

Proposal Submitted: Town of Surf City, North Carolina		Phone: 910-328-4131	Fax:	Date: 11/19/2019
Street: 201 Community Center Drive		Job Name: RFP NO. 2019-06 Street Paving – Florence Damage		
City, State, Zip Code: Surf City, NC 28445		Job Location: 5654 Carolina Beach Road Wilmington, NC		
Engineer: NA	RFP Date: September 10, 2019	Attention: Ashley Loftis, Town Manager		

We hereby submit specifications and estimates for:

Item	Approx. Quantity	Description of Work	Unit Price	Amount
See Page 2 of 2 for Description of Work and Price				

This price is based on the NCDOT Monthly Terminal F.O.B. Asphalt Binder Price of \$373.50 per ton for the month of April 2017. If the asphalt cement price fluctuates from this stated price at any time during the performance of work under this contract, S.T. Wooten Corporation has the right to adjust prices in accordance with the NCDOT Monthly Terminal F.O.B. Asphalt Binder Prices.

----- CONTINUED ON PAGE 2 -----

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Approximate Total Cost: \$1,555,067.00

Payment will be due upon presentation of billing/invoice.

Billing/Invoices become past due if unpaid thirty (30) days after billing/invoice date. Past due amounts are subject to a 1.5% per month finance charge. This is an annual rate of 18%. In order to protect our interest in any billed amounts that are past due, a lien will be filed before the expiration of our lien rights, and may be filed any time an amount is past due. If payment has not been received within sixty (60) days of billing/invoice date, through no fault of S.T. Wooten Corporation, then upon giving seven (7) days written notice, and without prejudice to and in addition to any other legal remedies, S.T. Wooten Corporation may stop work until payment of the full amount owing has been received. The contract amount and time shall be adjusted by the amount of S.T. Wooten Corporation's reasonable and verified cost of shutdown, delay, and startup, which shall be effected by an appropriate change order.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written change orders, and will become an extra charge over and above the estimate. All agreements will be modified due to strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

S. T. WOOTEN CORPORATION

Authorized
Signature _____

Note: This proposal may be withdrawn if not accepted within 30 days or credit not approved.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Owner/Contractor _____ Date of Acceptance _____

S.T. Wooten Corporation _____ Date of Acceptance _____

S. T. WOOTEN CORPORATION

Page 2 of 2

TO: Town of Surf City, North Carolina

RE: RFP NO. 2019-06 Street Paving – Florence Damage

Item	Approx. Quantity	Description of Work	Amount
SCOPE OF WORK: Excavate existing roadway and place 9" Compacted Aggregate Base Course (ABC) and 2" S9.5B.			
1	1.28 Miles	North Shore Drive – 1005 North Shore Drive to 2111 North Shore Drive	\$745,578.00
2	0.11 Miles	Mecklenburg Ave – Intersection of Hwy 210/Mecklenburg Ave and North Shore Drive/Mecklenburg Ave.	\$64,077.00
3	0.11 Miles	Craven Ave – Intersection of Hwy 210/Craven Ave and North Shore Drive/Craven Ave.	\$64,077.00
4	0.10 Miles	Jones Ave – Intersection of Hwy 210/Jones Ave and North Shore Drive/Jones Ave.	\$58,244.00
5	0.09 Miles	Lenoir Ave – Intersection of Hwy 210/Lenoir Ave and North Shore Drive/Lenoir Ave.	\$52,423.00
6	0.08 Miles	Pender Ave - Intersection of Hwy 210/Pender Ave and North Shore Drive/Pender Ave.	\$46,603.00
7	0.07 Miles	Neptune Pl - Intersection of Hwy 210/Neptune Pl and North Shore Drive/Neptune Place.	\$40,769.00
8	0.07 Miles	Broadway St - Intersection of Hwy 210/Broadway St and North Shore Drive/Broadway St	\$40,769.00
9	0.05 Miles	5th St - Intersection of Hwy 210/5th St and North Shore Drive/5th St	\$29,128.00
10	0.06 Miles	9th St - Intersection of Hwy 210/9th St and North Shore Drive/9th St	\$34,949.00
11	0.55 Miles	North Topsail Dr - Intersection of Pender Ave/North Topsail Dr and Pender Ave/Easy St	\$320,230.00
12	0.10 Miles	Easy Street - Intersection of Neptune Pl/Easy St to 1003 North Topsail Dr	\$58,220.00
		TOTAL COST OF ALL WORK	\$ 1,555,067.00

ADDITIONAL TERMS AND CONDITIONS

1. Among the items not included in the previously quoted prices are as follows:
 - a. Engineering; as-builts; Onsite Roadway Inspector
 - b. Undercut or backfill of unsuitable material
 - c. Temporary facilities or utilities; Adjustment or relocation of new or existing utilities or irrigation lines; traffic signal repairs or improvements; Sign relocation, Pavement Markings.
 - d. Widening of roadways beyond existing asphalt roadway limits.
 - e. Removal and/or replacement of existing driveway aprons or modifications to existing driveways.
 - f. All items of work that are not specifically listed as include are excluded.
2. Roadway Reconstruction limits to will be to the existing roadway width.
3. S. T. Wooten Corporation warrants material and workmanship for a period of one year under normal conditions.
4. The prices quoted herein are based upon the site being available to us for completion of our work by/within thirty (30) days and are firm until that time. The prices are subject to renegotiation by S.T. Wooten Corporation after that time.
5. The prices quoted herein are based on the base material being in a firm, stable, and unyielding condition. S.T. Wooten Corporation will not be held responsible for failures due to the subgrade or base material.
6. S.T. Wooten Corporation is not responsible for work performed by others.
7. Asphalt Paving shall be installed as required by the NCDOT Standard Specifications for Roads and Structures (Section 610-4), as it relates to seasonal limitations and/ or temperature restrictions. Any work performed not in compliance with these specifications will void S.T. Wooten's implied one year warranty. Any corrective work caused by such deviations to NCDOT specifications will be done at the owner's expense.

S. T. WOOTEN CORPORATION

Authorized

Signature _____

Note: This proposal may be withdrawn if not accepted within 30 days or credit not approved.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Owner/Contractor _____ Date of Acceptance _____

S.T. Wooten Corporation _____ Date of Acceptance _____

TOWN OF SURF CITY
BUDGET ORDINANCE AMENDMENT
December 3, 2019

BE IT ORDAINED by the Governing Board of the Town of Surf City, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the **General Fund Revenues & Expenditures** to account for the unexpected replacement of the roof at our Welcome Center facility. The contract for these repairs will not exceed \$60,000 and will be awarded to the lowest, responsive, responsible bidder. These funds will be appropriated through General Fund fund balance, the appropriations are to be changed as follows:

INCREASE BUDGETED REVENUE

Account Number	Account Description	Amount
10-111-441-499900	Appropriated Surplus	\$60,000

INCREASE BUDGETED EXPENDITURE

Account Number	Account Description	Amount
21-621-448-511500	M&R Building	\$60,000

Section 2. Copies of these Budget Amendments shall be furnished to the Clerk, to the Governing Board, to the Town Manger, and the Finance Officer for their direction.

Adopted this the 3th day of December, 2019.

ATTEST:

Doug Medlin

Stephanie E. Hobbs, Town Clerk

(Seal)

Site Plan Approval

Owner: Town of Surf City
Agent: Charles F. Riggs & Assoc.
Acreage: 2.726
Project: Town Hall
Proposed Use: Governmental
Zoning: G-1 Government
Location: 214 Arboretum Point
Stormwater: State stormwater review

The Technical Review Committee (TRC) has unanimously approved this project.

Landscaping, sidewalks and lighting have all been designed in compliance with the ordinances.

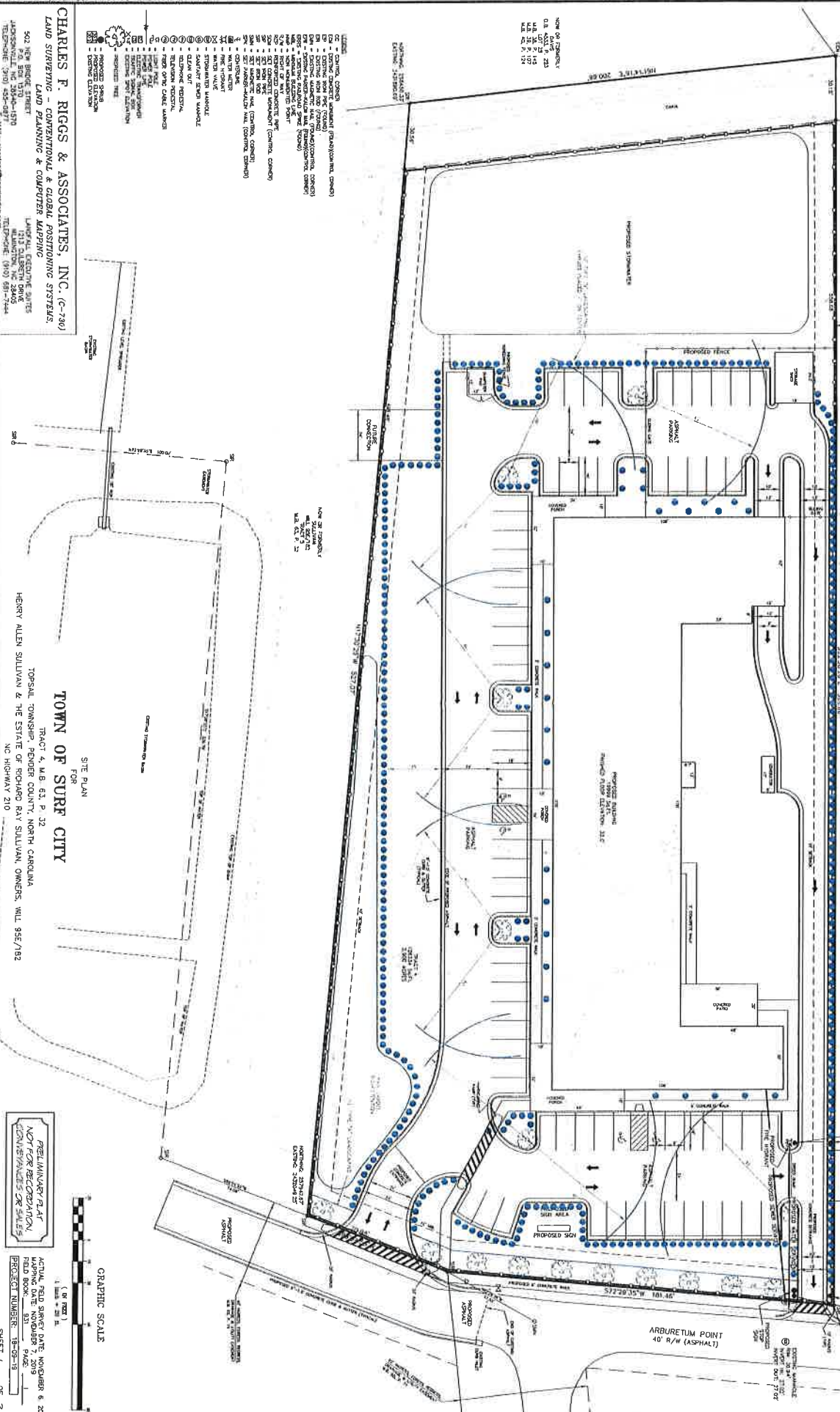
Planning Board Recommendation

The Planning Board recommends approval of this site plan.

DATE OF RECORDING
11/28/2013
BY: [Signature]
SCALE: 1" = 40'

DATE OF RECORDING
11/28/2013
BY: [Signature]
SCALE: 1" = 40'

AS 11.1.12



CHARLES F. RIGGS & ASSOCIATES, INC. (C-736)
LAND SURVEYING - CONVENTIONAL & GLOBAL POSITIONING SYSTEMS
LAND PLANNING & COMPUTER MAPPING
502 NEW BRIDGE STREET
JACKSONVILLE, NC 28540
TELEPHONE: (919) 454-0870
FAX: (919) 454-0871
E-MAIL: CRIGGS@CFRIGGS.COM

TOWN OF SUFF CITY
TRACT 4, M.B. 63, P. 32
TOPSAIL TOWNSHIP, FENDER COUNTY, NORTH CAROLINA
HENRY ALLEN SULLIVAN & THE ESTATE OF RICHARD RAY SULLIVAN, OWNERS, WILL 95E/162
NC HIGHWAY 210

PRELIMINARY PLAT
NOT FOR RECORDATION
CONVEYANCES OR SALES
ACTUAL FIELD SURVEY DATE: NOVEMBER 6, 2013
FIELD BOOK: 831
PROJECT NUMBER: 18-03-13
SHEET 1 OF 2



GRAPHIC SCALE

Site Plan Approval

Owner: Anthony Ricciardi
Agent: Charles F. Riggs & Assoc.
Acreage: 1.4
Project: Tortuga Lane Ricciardi
Proposed Use: Commercial Warehouse
Zoning: MU – Mixed Use
Location: Tortuga Lane
Stormwater: State stormwater review

The Technical Review Committee (TRC) has unanimously approved this project.

Landscaping, sidewalks and lighting have all been designed in compliance with the ordinances.

Planning Board Recommendation

The Planning Board recommends approval of this site plan.

